

# IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF GEORGIA

| Fill in this information to identify your case: |                             |             |           |
|---|-----------------------------|-------------|-----------|
| Debtor 1  | <u>Antoinette M. Harris</u> |             |           |
|   | First Name                  | Middle Name | Last Name |
| Debtor 2<br>(Spouse, if filing)                 |                             |             |           |
|   | First Name                  | Middle Name | Last Name |
| Case Number<br>(If known)                       | <u>18-11784-SDB</u>         |             |           |

☒ Check if this is an amended plan.

## CHAPTER 13 PLAN AND MOTION

[Pursuant to Fed. R. Bankr. P. 3015.1, the Southern District of Georgia General Order 2017-3 adopts this form in lieu of the Official Form 113].

1. **Notices.** Debtor(s) must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as not being contained in the plan or if neither or both boxes are checked, the provision will be ineffective if set out in the plan.

- (a) This plan: ☒ contains nonstandard provisions. See paragraph 15 below.  
☐ does not contain nonstandard provisions.
- (b) This plan: ☒ values the claim(s) that secures collateral. See paragraph 4(f) below.  
☐ does not value claim(s) that secures collateral.
- (c) This plan: ☒ seeks to avoid a lien or security interest. See paragraph 8 below.  
☐ does not seek to avoid a lien or security interest.

## 2. Plan Payments.

(a) The Debtor(s) shall pay to the Chapter 13 Trustee (the "Trustee") the sum of \$ 500.00 per month for the applicable commitment period of:

☐ 60 months; or

☒ a minimum of 36 months. See 11 U.S.C. § 1325(b)(4).

(If applicable include the following: These plan payments will change to \$ \_\_\_\_\_ monthly on \_\_\_\_\_, 20\_\_\_\_.)

(b) The payments under paragraph 2(a) shall be paid:

☒ Pursuant to a Notice to Commence Wage Withholding, the Debtor(s) request(s) that the Trustee serve such Notice(s) upon the Debtor's(s') employer(s) as soon as practicable after the filing of this plan. Such Notice(s) shall direct the Debtor's(s') employer(s) to withhold and remit to the Trustee a dollar amount that corresponds to the following percentages of the monthly plan payment:

☒ Debtor 1 100 % ☐ Debtor 2 \_\_\_\_\_ %

☐ Direct to the Trustee for the following reason(s):

☐ The Debtor(s) receive(s) income solely from self-employment, Social Security, government assistance, or retirement.

☐ The Debtor(s) assert(s) that wage withholding is not feasible for the following reason(s):

(c) Additional Payments of \$ \_\_\_\_\_ (estimated amount) will be made on \_\_\_\_\_ (anticipated date)

from \_\_\_\_\_ (source, including income tax refunds).

### 3. Long-Term Debt Payments.

- (a) **Maintenance of Current Installment Payments.** The Debtor(s) will make monthly payments in the manner specified as follows on the following long-term debts pursuant to 11 U.S.C. § 1322(b)(5). These postpetition payments will be disbursed by either the Trustee or directly by the Debtor(s), as specified below. Postpetition payments are to be applied to postpetition amounts owed for principal, interest, authorized postpetition late charges and escrow, if applicable. Conduit payments that are to be made by the Trustee which become due after the filing of the petition but before the month of the first payment designated here will be added to the prepetition arrearage claim.

| <u>CREDITOR</u> | <u>COLLATERAL</u> | <u>PRINCIPAL<br/>RESIDENCE<br/>(Y/N)</u> | <u>PAYMENTS TO BE<br/>MADE BY<br/>(TRUSTEE OR<br/>DEBTOR(S))</u> | <u>MONTH OF FIRST<br/>POSTPETITION<br/>PAYMENT TO<br/>CREDITOR</u> | <u>INITIAL<br/>MONTHLY<br/>PAYMENT</u> |
|-----------------|-------------------|--|--|--|--|
|-----------------|-------------------|--|--|--|--|

- (b) **Cure of Arrearage on Long-Term Debt.** Pursuant to 11 U.S.C. § 1322(b)(5), prepetition arrearage claims will be paid in full through disbursements by the Trustee, with interest (if any) at the rate stated below. Prepetition arrearage payments are to be applied to prepetition amounts owed as evidenced by the allowed claim.

| <u>CREDITOR</u> | <u>DESCRIPTION OF<br/>COLLATERAL</u> | <u>PRINCIPAL<br/>RESIDENCE (Y/N)</u> | <u>ESTIMATED AMOUNT<br/>OF ARREARAGE</u> | <u>INTEREST RATE ON<br/>ARREARAGE (if applicable)</u> |
|-----------------|--------------------------------------|--------------------------------------|--|---|
|-----------------|--------------------------------------|--------------------------------------|--|---|

### 4. Treatment of Claims. From the payments received, the Trustee shall make disbursements as follows unless designated otherwise:

- (a) **Trustee's Fees.** The Trustee percentage fee as set by the United States Trustee.
- (b) **Attorney's Fees.** Attorney's fees allowed pursuant to 11 U.S.C. § 507(a)(2) of \$ **3,750.00**.
- (c) **Priority Claims.** Other 11 U.S.C. § 507 claims, unless provided for otherwise in the plan will be paid in full over the life of the plan as funds become available in the order specified by law.
- (d) **Fully Secured Allowed Claims.** All allowed claims that are fully secured shall be paid through the plan as set forth below.

| <u>CREDITOR</u>                                    | <u>DESCRIPTION OF COLLATERAL</u> | <u>ESTIMATED CLAIM</u> | <u>INTEREST RATE</u> | <u>MONTHLY PAYMENT</u> |
|--|----------------------------------|------------------------|----------------------|------------------------|
| Estates of Leverett Coleman and Roma Adams Coleman | Real Estate                      | \$12,275.00            | 5%                   | Min. of \$232.00       |
| McDuffie County Tax Commissioner                   | Real Estate                      | \$919.00               | 5%                   | Min. of \$18.00        |

- (e) **Secured Claims Excluded from 11 U.S.C. § 506** (those claims subject to the hanging paragraph of 11 U.S.C. § 1325(a)). The claims listed below were either: (1) incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the Debtor(s), or (2) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value. These claims will be paid in full under the plan with interest at the rate stated below:

| <u>CREDITOR</u> | <u>DESCRIPTION OF COLLATERAL</u> | <u>ESTIMATED CLAIM</u> | <u>INTEREST RATE</u> | <u>MONTHLY PAYMENT</u> |
|-----------------|----------------------------------|------------------------|----------------------|------------------------|
|-----------------|----------------------------------|------------------------|----------------------|------------------------|

- (f) **Valuation of Secured Claims to Which 11 U.S.C. § 506 is Applicable.** The Debtor(s) move(s) to value the claims partially secured by collateral pursuant to 11 U.S.C. § 506 and provide payment in satisfaction of those claims as set forth below. The unsecured portion of any bifurcated claims set forth below will be paid pursuant to paragraph 4(h) below. The plan shall be served on all affected creditors in compliance with Fed. R. Bankr. P. 3012(b), and the Debtor(s) shall attach a certificate of service.

| <u>CREDITOR</u>                                     | <u>DESCRIPTION OF COLLATERAL</u> | <u>VALUATION OF SECURED CLAIM</u> | <u>INTEREST RATE</u> | <u>MONTHLY PAYMENT</u> |
|---|----------------------------------|-----------------------------------|----------------------|------------------------|
| Security Finance of Georgia, LLC                    | Personal Property                | \$ - 0 -                          | 0%                   | \$ - 0 -               |
| Service Loan Company of Thomson, LLC                | Personal Property                | \$ - 0 -                          | 0%                   | \$ - 0 -               |
| World Finance Corporation of Georgia (all accounts) | Personal Property                | \$ - 0 -                          | 0%                   | \$ - 0 -               |

- (g) **Special Treatment of Unsecured Claims.** The following unsecured allowed claims are classified to be paid at 100%  
☐ with interest at \_\_\_\_\_ % per annum or ☐ without interest:

- (h) **General Unsecured Claims.** Allowed general unsecured claims, including the unsecured portion of any bifurcated claims provided for in paragraph 4(f) or paragraph 9 of this plan, will be paid a 10 % dividend or a pro rata share of \$ 100.00, whichever is greater.

## 5. Executory Contracts.

- (a) **Maintenance of Current Installment Payments or Rejection of Executory Contract(s) and/or Unexpired Lease(s).**

| <u>CREDITOR</u> | <u>DESCRIPTION OF PROPERTY/SERVICES AND CONTRACT</u> | <u>ASSUMED/REJECTED</u> | <u>MONTHLY PAYMENT</u> | <u>DISBURSED BY TRUSTEE OR DEBTOR(S)</u> |
|-----------------|--|-------------------------|------------------------|--|
|-----------------|--|-------------------------|------------------------|--|

- (b) **Treatment of Arrearages.** Prepetition arrearage claims will be paid in full through disbursements by the Trustee.

| <u>CREDITOR</u> | <u>ESTIMATED ARREARAGE</u> |
|-----------------|----------------------------|
|-----------------|----------------------------|

6. **Adequate Protection Payments.** The Debtor(s) will make pre-confirmation lease and adequate protection payments pursuant to 11 U.S.C. § 1326(a)(1) on allowed claims of the following creditors: ☐ Direct to the Creditor; or ☒ To the Trustee.

| <u>CREDITOR</u>                                     | <u>ADEQUATE PROTECTION OR LEASE PAYMENT AMOUNT</u> |
|---|--|
| Estates of Leverette Coleman and Roma Adams Coleman | \$120.00   |

7. **Domestic Support Obligations.** The Debtor(s) will pay all postpetition domestic support obligations direct to the holder of such claim identified here. See 11 U.S.C. § 101(14A). The Trustee will provide the statutory notice of 11 U.S.C. § 1302(d) to the following claimant(s):

| <u>CLAIMANT</u> | <u>ADDRESS</u> |
|-----------------|----------------|
|-----------------|----------------|

8. **Lien Avoidance.** Pursuant to 11 U.S.C. § 522(f), the Debtor(s) move(s) to avoid the lien(s) or security interest(s) of the following creditor(s), upon confirmation but subject to 11 U.S.C. § 349, with respect to the property described below. The plan shall be served on all affected creditor(s) in compliance with Fed. R. Bankr. P. 4003(d), and the Debtor(s) shall attach a certificate of service.

| <u>CREDITOR</u>                      | <u>LIEN IDENTIFICATION (if known)</u> | <u>PROPERTY</u> |
|--------------------------------------|---------------------------------------|-----------------|
| Security Finance of Georgia, LLC     |                                       | Household Goods |
| Service Loan Company of Thomson, LLC |                                       | Household Goods |
| World Finance Corporation of Georgia |                                       | Household Goods |

9. **Surrender of Collateral.** The following collateral is surrendered to the creditor to satisfy the secured claim to the extent shown below upon confirmation of the plan. The Debtor(s) request(s) that upon confirmation of this plan the stay under 11 U.S.C. § 362(a) be terminated as to the collateral only and that the stay under 11 U.S.C. § 1301 be terminated in all respects. Any allowed deficiency balance resulting from a creditor's disposition of the collateral will be treated as an unsecured claim in paragraph 4(h) of this plan if the creditor amends its previously-filed, timely claim within 180 days from entry of the order confirming this plan or by such additional time as the creditor may be granted upon motion filed within that 180-day period.

| <u>CREDITOR</u>        | <u>DESCRIPTION OF COLLATERAL</u> | <u>AMOUNT OF CLAIM SATISFIED</u> |
|------------------------|----------------------------------|----------------------------------|
| Santander Consumer USA | Motor Vehicle                    | In Full Satisfaction of Debt     |



**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the within and foregoing AMENDED CHAPTER 13 PLAN AND MOTION upon the following parties via CM/ECF electronic mail:

Huon Le  
[VIA ECF]

Office of the U. S. Trustee  
[VIA ECF]

I hereby certify that I have served a copy of the within and foregoing AMENDED CHAPTER 13 PLAN AND MOTION by First Class Mail, placing same in the United States Mail with proper postage affixed thereon, to the following addresses:

SEE ATTACHED EXHIBIT "A"

I hereby certify that I have served a copy of the within and foregoing AMENDED CHAPTER 13 PLAN AND MOTION on the following corporations, addressed to an Agent or Officer, by First Class Mail, placing same in the United States Mail with proper postage affixed thereon, to the following addresses:

Security Finance of Georgia, LLC  
Attn: Officer or Agent  
112 Jackson Street  
Thomson, GA 30824-2017  
(as shown on Exhibit "A")

Security Finance of Georgia, LLC  
Attn: Officer or Agent  
P.O. Box 1893  
Spartanburg, SC 29304-1893  
(as shown on Exhibit "A")

Security Finance of Georgia, LLC, Attn:  
C T Corporation System, Registered Agent  
289 S. Culver Street  
Lawrenceville, GA 30046-4805  
(as shown on Exhibit "A")

Service Loan Company of Thomson, LLC  
Attn: Officer or Agent  
126 Jackson Street  
Thomson, GA 30824-2017  
(as shown on Exhibit "A")

Service Loan Company of Thomson, LLC  
Attn: James A. Walters, Registered Agent  
718 Greene Street NE  
Gainesville, GA 30501-3322  
(as shown on Exhibit "A")

World Finance Corporation of Georgia  
Attn: Officer or Agent  
406 Main Street  
Thomson, GA 30824-1575  
(as shown on Exhibit "A")

World Finance Corporation of Georgia  
Attn: Officer or Agent  
P.O. Box 6429  
Greenville, SC 29606-6429  
(as shown on Exhibit "A")


World Finance Corporation of Georgia  
Attn: CT Corporation, Registered Agent  
289 S. Culver Street  
Lawrenceville, GA 30046-4805  
(as shown on Exhibit "A")

I hereby certify that I have served a copy of the within and foregoing AMENDED CHAPTER 13 PLAN MOTION on the following insured depository institutions, addressed to an Officer of the institution, by Certified Mail with proper postage affixed thereon, to the following addresses:

N/A

This 6<sup>th</sup> day of March, 2019.

Wills Law Firm, LLC  
P.O. Box 1620  
Thomson, GA 30824  
706-595-8100

  
\_\_\_\_\_  
Charles W. Wills  
Attorney for Debtor



Label Matrix for local noticing  
113J-1  
Case 18-11784-SDB  
Southern District of Georgia  
Augusta  
Wed Mar 6 15:02:39 EST 2019

~~Charles W. Wills  
Wills Law Firm, LLC  
318 Jackson Street  
P.O. Box 2620  
Thomson, GA 30824-5620~~

ESTATES OF LEVERETT COLEMAN AND ROMA  
ADAMS COLEMAN  
2124 MT. PLEASANT ROAD  
THOMSON GA 30824-3232

LVNV Funding, LLC  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

NATIONWIDE RECOVERY SERVICES  
P.O. BOX 8005  
CLEVELAND TN 37320-8005

PHYSICIANS PRACTICE GROUP  
1499 WALTON WAY  
SUITE 1400  
AUGUSTA GA 30901-2660

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

SECURITY FINANCE OF GEORGIA, LLC  
ATTN: OFFICER OR AGENT  
P.O. BOX 1893  
SPARTANBURG SC 29304-1893

SERVICE LOAN COMPANY OF THOMSON, LLC  
ATTN: JAMES A. WALTERS, REGISTERED AGENT  
718 GREENE STREET NE  
GAINESVILLE GA 30501-3322

U.S. DEPARTMENT OF EDUCATION  
P.O. Box 4222  
Iowa City, IA 52244

AUMA ANESTHESIA  
C/O CHOICE RECOVERY, INC.  
1550 Old Henderson Road Suite 100  
Columbus, OH 43220-3626

DEBT RECOVERY SOLUTIONS, LLC  
6800 JERICHO TURNPIKE  
SUITE 113E  
SYOSSET NY 11791-4401

HICKORY HILL EMERGENCY PHYSICIANS, LLC  
1A BURTON HILLS BLVD  
NASHVILLE TN 37215-6187

~~Hugh Le  
P.O. Box 2127  
Augusta, GA 30903-2127~~

(via CM/ECF)

NORTH AUGUSTA SMILES  
C/O MERCHANTS CREDIT BUREAU  
955 GREENE STREET  
AUGUSTA GA 30901-2231

PYOD, LLC  
Resurgent Capital Services  
PO Box 19008  
Greenville, SC 29602-9008

SANTANDER CONSUMER USA INC.  
P.O. BOX 560284  
DALLAS TX 75356-0284

SECURITY FINANCE OF GEORGIA, LLC, ATTN:  
C T CORPORATION SYSTEM, REGISTERED AGENT  
289 S. CULVER STREET  
LAWRENCEVILLE GA 30046-4805

SFC Central Bankruptcy  
PO Box 1893  
Spartanburg, SC 29304-1893

(p)UNIVERSITY HEALTH SERVICES INC  
ATTN COLLECTIONS DIVISION  
620 THIRTEENTH ST  
AUGUSTA GA 30901-1008

~~Antoinette M. Harris  
1080 Old Milledgeville Road SW  
Thomson GA 30824-8626~~

DEBT RECOVERY SOLUTIONS, LLC  
P.O. BOX 9001  
WESTBURY NY 11590-9001

KNOX AND SWAN  
ATTORNEYS AT LAW  
P.O. BOX 539  
THOMSON GA 30824-0539

MCDUFFIE COUNTY TAX COMMISSIONER  
P.O. BOX 955  
THOMSON GA 30824-0955

~~Office of the U. S. Trustee  
Johnson Square Business Center  
2 East Bryan Street, Ste 725  
Savannah, GA 31401-2638~~

(via CM/ECF)

Pendrick Capital Partners, LLC  
PO BOX 141419  
IRVING, TX 75014-1419

SECURITY FINANCE OF GEORGIA, LLC  
ATTN: OFFICER OR AGENT  
112 JACKSON STREET  
THOMSON GA 30824-2017

SERVICE LOAN COMPANY OF THOMSON, LLC  
ATTN: OFFICER OR AGENT  
126 JACKSON STREET  
THOMSON GA 30824-2017

Santander Consumer USA Inc.  
1601 Elm St Ste 800  
Dallas TX 75201-7260

UNIVERSITY HOSPITAL MCDUFFIE  
2460 WASHINGTON ROAD  
THOMSON GA 30824-6600



UNIVERSITY HOSPITAL MCDUFFIE  
P.O. BOX 1228  
AUGUSTA GA 30903-1228

WORLD FINANCE CORPORATION OF GEORGIA  
ATTN: OFFICER OR AGENT  
406 MAIN STREET  
THOMSON GA 30824-1575

WORLD FINANCE CORPORATION OF GEORGIA  
ATTN: OFFICER OR AGENT  
P.O. BOX 6429  
GREENVILLE SC 29606-6429

WORLD FINANCE CORPORATION OF GEORGIA  
ATTN: CT CORPORATION, REGISTERED AGENT  
289 S. CULVER STREET  
LAWRENCEVILLE GA 30046-4805

~~Charles W. Wills  
Wills Law Firm, LLC  
P.O. Box 1620  
318 Jackson Street  
Thomson, GA 30824-2901~~

World Finance Corp. c/o World Acceptance Cor  
Attn: Bankruptcy Processing Center  
PO Box 6429  
Greenville, SC 29606-6429

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Portfolio Recovery Associates, LLC  
c/o Up  
POB 41067  
Norfolk VA 23541

UNIVERSITY HEALTH SERVICES  
620 13TH STREET  
AUGUSTA GA 30901

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Estate of Leverette Coleman and Roma Adams

(d)Antoinette M. Harris  
1080 Old Milledgeville Road SW  
Thomson, GA 30824-8626

|                     |    |
|---------------------|----|
| End of Label Matrix |    |
| Mailable recipients | 35 |
| Bypassed recipients | 2  |
| Total               | 37 |